

Applicant : Lee A. Chase
Appln. No. : 09/775,425
Page -12-

In the Drawings:

Attachment: Replacement Sheets
Annotated Sheet Showing Changes

REMARKS

Claims 29-66 are currently pending the present application. Reconsideration in light of the amendments and arguments as set forth herein is respectfully requested.

The allowability of claims 42-52 is gratefully acknowledged. Claim 42 has been amended to address the rejections as set forth by the Examiner. Specifically, claim 42 has been amended such that the axial protrusion as defined therein is defined as extending "axially" outward from the rim portion, as opposed to "radially." The original submission of "radially" was a typographical error, and this amendment places the application in better condition for allowance.

OBJECTIONS TO THE SPECIFICATION:

The specification was objected to for failing to provide proper antecedent basis for the claimed subject matter. Claim 42 has been amended in accordance with the Examiner's objection, thereby addressing the objections to the specification.

CLAIM REJECTIONS UNDER 35 U.S.C. §112:

Claims 42-52 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. As noted above, claim 42 has been amended to more correctly define the axial protrusion as extending "axially" outward from the rim portion, as opposed to "extending" radially.

Accordingly, claim 42 is in condition for allowance. Claims 43-52 are dependent from claim 42, which is in condition for allowance, and are therefore also in condition for allowance.

CLAIM REJECTIONS UNDER 35 U.S.C. §103:

Claims 29-41 and 53-66 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chase, U.S. Patent No. 5,597,213, in view of Eikhoff et al., U.S. Patent No. 6,200,411. As set forth in the record, Chase '213 does not disclose an overlay that covers the peripheral flange lip as defined in claim 29 of the present application. Eikhoff et al. is argued as providing "a wheel having an overlay which may extend radially outward to the axially-extending rim flange lip 76 as shown in Fig. 9; or may extend beyond the outermost edge 76a so as to cover the entire perpendicular

portion of the flange (the radially [sic] thickness of the flange lip) as shown in Fig. 10; or may cover or overlay only a portion of the perpendicular portion of the flange lip as shown in Fig. 11.” However, it is noted that Fig. 11 of the Eikhoff ‘411 patent shows the facing 56 covering the entire portion of the rim flange that extends perpendicular to the axis of the associated wheel, while the portion of the flange left exposed extends at a 45° angle to that axis. Therefore, none of the references as currently cited, either singularly or held in combination disclose that which is defined in claim 29.

Accordingly, claim 29 is in condition for allowance. Claims 30-41 are dependent from claim 29, which is in condition for allowance as noted above, and are therefore also in condition for allowance.

Claim 53 defines a wheel and an overlay assembly that comprises, among other things, elements similar to those as discussed above with respect to claim 29, and is therefore also in condition for allowance for those reasons as noted above. Claims 54-66 are dependent from claim 53, which is in condition for allowance as noted above, and are therefore also in condition for allowance.

Accordingly, claims 29-66 are in condition for allowance, and a Notice of Allowability is earnestly solicited.

Respectfully submitted,

By: Price, Heneveld, Cooper,
DeWitt & Litton, LLP

Dated: September 29, 2008

/Brian E. Ainsworth/
Brian E. Ainsworth
Registration No. 45 808
695 Kenmoor, S.E.
Post Office Box 2567
Grand Rapids, Michigan 49501
(616) 949-9610

BEA:kjc